



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

*Jim Gibbons, Governor*

*Allen Biaggi, Director*

*Leo M. Drozdoff, P.E., Administrator*

## Notice of Proposed Action

October 16, 2007

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following notice of proposed action under the Nevada Revised Statutes.

The Administrator has received a complete application for renewal of a water pollution control discharge permit (NEV96014) from the following applicant:

Mars Retail Group, Inc.  
(formerly Ethel M Chocolates, Inc.)  
1 Sunset Way  
Henderson, Nevada 89014

The applicant operates the "Living Machine" and a constructed wetlands treatment system to treat process wastewater for onsite reuse via landscape irrigation. The facility manufactures Ethel M Chocolates at the facility located at 1 Sunset Way in Henderson, Clark County, Nevada. The proposed permit is for a five (5) year period.

On the basis of preliminary review of the requirements of the Nevada Revised Statutes (NRS) and implementing regulations, the Administrator proposes to issue the permit to discharge, subject to certain effluent limitations and special conditions.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding permit issuance or request a hearing pursuant to the Nevada Administrative Code, Water Pollution Control should submit their comments or request, in writing, within thirty (30) days of newspaper publication by November 16, 2007 either in person or by mail to:

Department of Conservation and Natural Resources  
Division of Environmental Protection  
Bureau of Water Pollution Control  
901 South Stewart Street, Suite 4001  
Carson City, Nevada 89701

All comments or objections received within thirty (30) days will be considered in the formulation of final determinations regarding the application. If written comments indicate a significant degree of public interest in the proposed permit, the

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Administrator shall hold a public hearing. A public notice of such hearing will be issued not less than thirty (30) days prior to the hearing date.

If no hearing is held and the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

The application, proposed permit, comments received, and other information are on file and may be copied or copies may be obtained by writing to the above address or FAX at (775) 687-4684, or by calling Icyll C. Mulligan of the Bureau of Water Pollution Control at (775) 687-9432. The Public Notice and Fact Sheet are available on the NDEP website at [www.ndep.nv.gov/admin/public.htm](http://www.ndep.nv.gov/admin/public.htm).

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.